

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**C&D TECHNOLOGIES, INC. AND  
TROJAN BATTERY CO.,  
Plaintiffs/Counter  
Defendants,**

v.

**ELLIOTT AUTO SUPPLY CO., INC.,  
d/b/a FACTORY MOTOR PARTS,  
Defendant/Counter  
Plaintiff.**

**CIVIL ACTION**

**NO. 23-2608**

**O R D E R**

AND NOW, this 27th day of September, 2024, upon consideration of Plaintiffs C&D Technologies, Inc. and Trojan Battery Co.'s ("Plaintiffs") Motion to Dismiss Defendant Elliott Auto Supply Co, Inc. d/b/a Factory Motor Parts' Counterclaims (the "Motion") (ECF No. 16), the response thereto (ECF No. 19), Plaintiffs' reply to that response (ECF No. 20), and the parties' arguments before this Court on November 29, 2023 (ECF No. 28), **IT IS ORDERED** that Plaintiffs' Motion (ECF No. 16) is **GRANTED**. Defendant's Counterclaims (ECF No. 11 at 12-26) are hereby **DISMISSED**.

**BY THE COURT:**

**/s/ Hon. Kelley B. Hodge**

**HODGE, KELLEY B., J.**